

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Lamont Alvin McElveen, #99987-071,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No.: 9:07-1450
)	
Alberto Gonzalez, U.S. Attorney General,)	
)	
Respondent.)	
_____)	

ORDER

On May 24, 2007, the petitioner, Lamont Alvin McElveen (“petitioner”), proceeding *pro se*, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. #1). The case was referred to Magistrate Judge George C. Kosko pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. #6). On June 7, 2007, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that “the petition be dismissed without prejudice and without issuance and service of process.” (Doc. #6). The petitioner filed no objections to the report. Objections were due on June 27, 2007.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this

Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

This Court is well-aware of this case. The Court conducted the trial and imposed the sentence in this case. The Court considered the 28 U.S.C. § 2255 petition which was dismissed on the merits. See Civil Action No. 4:06-70003. The Court also considered the first 28 U.S.C. § 2241 filed by this petitioner which was dismissed with no objection to the Report and Recommendation, recommending dismissal, ever being filed by the petitioner. See Civil Action No. 9:07-11.

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation in this action. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #6).

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

July 20, 2009
Florence, South Carolina